

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL**
FOR: HEALTH CARE FINANCING ADMINISTRATION

1. TRANSMITTAL NUMBER:

U T — 0 1 - 013

2. STATE:

UTAH

3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL
SECURITY ACT (MEDICAID)TO: REGIONAL ADMINISTRATOR
HEALTH CARE FINANCING ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE

July 1, 2001

5. TYPE OF PLAN MATERIAL (Check One):

☐ NEW STATE PLAN☐ AMENDMENT TO BE CONSIDERED AS NEW PLAN☒ AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION:

42 CFR 440.170

7. FEDERAL BUDGET IMPACT:

a. FFY 2001 \$ 75,000b. FFY 2002 \$ 153,000

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:

ATTACHMENT 3.1-A (Attachment #24.f)

24.g-1

24.g-2

ATTACHMENT #XXXXX 3.1-B 23f
23g, g-29. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION
OR ATTACHMENT (If Applicable):

Same

New ~~Same~~

New

Same

NEW


10. SUBJECT OF AMENDMENT:

Home Based Personal Care Services

11. GOVERNOR'S REVIEW (Check One):

☒ GOVERNOR'S OFFICE REPORTED NO COMMENT☐ OTHER, AS SPECIFIED:☐ COMMENTS OF GOVERNOR'S OFFICE ENCLOSED☐ NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

12. SIGNATURE OF STATE AGENCY OFFICIAL:



13. TYPED NAME: Rod L. Betit

14. TITLE: Executive Director
Department of Health

15. DATE SUBMITTED: August 20, 2001

16. RETURN TO:

Rod L. Betit, Executive Director
Department of Health
Box 143102
Salt Lake City, UT 84114-3102**FOR REGIONAL OFFICE USE ONLY**

17. DATE RECEIVED:

September 6, 2001

18. DATE APPROVED:

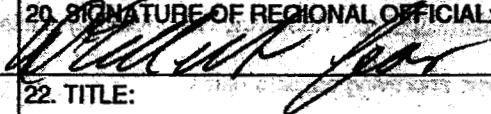
November 15, 2001

PLAN APPROVED - ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL:

July 1, 2001

20. SIGNATURE OF REGIONAL OFFICIAL:



21. TYPED NAME:

Spencer K. Ericson

22. TITLE:

Acting Associate Regional Administrator

23. REMARKS:

POSTMARK: September 4, 2001

HOME-BASED PERSONAL CARE SERVICES

Home-based personal care services are covered benefits when provided by an agency licensed to provide personal care services outside of a 24-hour supervised living setting, in accordance with Utah Code Annotated, Title 26, Chapter 21. The services are delivered by a personal care aide or a home health aide (performing only personal care level tasks) who has obtained a certificate of completion from the State Office of Education, or a licensed practical nurse, or a licensed registered nurse.

Limitations

1. Home-based personal care services are covered benefits when prescribed by a physician
2. Home-based personal care services are not covered benefits: (a) for recipient's residing in an institution, or (b) when delivered current with Medicaid home health aide services.
3. Home-based personal care services are limited to 60 hours per month.

01-013

11/15/01

07/01/01

98-003

EMPLOYMENT-RELATED PERSONAL CARE SERVICES

Employment-related personal care services are covered benefits provided to support integrated employment opportunities for individuals with a moderate to severe level of disabilities. Services are delivered by an agency licensed to provide personal care services outside of a 24-hour supervised living setting, in accordance with Utah Code Annotated, Title 26, Chapter 21, or a non-agency individual employed by the recipient as a personal care assistant who meets provider qualifications established by the Medicaid Agency. Employment-related personal care services include physical assistance and cognitive cuing to direct self-performance of necessary activities.

Limitations

1. Employment-related personal care services are covered benefits only for recipients who (a) meet the disability definition of Utah Code Annotated, Title **62A**, Chapter **5, Part 101(4)(a)**, and (b) are gainfully employed in an integrated community setting.
2. Employment-related personal care services are limited to:
 - (a) assistance with daily living activities;
 - (b) assistance with instrumental activities of daily living;
 - (c) transportation to and from the worksite;
 - (d) case management support to access and coordinate services and supports available at the work site through education, vocational rehabilitation, and other work-related public programs, and
 - (e) case management support to access and coordinate employment-related personal care services with other Medicaid State Plan services, including home-based personal care services
 - (f) services provided to eligible individuals outside the home necessary to assist them in obtaining and retaining competitive employment of at least 40 hours per month. Services are designed to assist an individual with a disability to perform daily activities on and off the job that the individual would typically perform if they did not have a disability.
3. Employment-related personal care services are not covered benefits:
 - (a) when provided by a legally responsible family member or guardian;
 - (b) when provided to individuals residing in hospitals, nursing facilities, ICFs/MR, when the recipient is employed by the facility, or
 - (c) when provided to individuals enrolled in a 1915(c) Home and Community-Based Services waiver when personal care services are provided as a component of a covered waiver services currently being utilized by the recipient.

TRANSMITTAL NO. 01-013
Date Approved 11/15/01
Effective Date 07/01/01
Supersedes Transmittal NEW

4. Scope, amount and duration of employment-related personal care services will be determined on an individual recipient basis through a needs assessment process approved by the Department and completed by staff of the Department or its designee.
5. Scope, amount and duration of employment-related personal care services will be authorized through completion of a written individualized service plan prepared jointly by the individual recipient and the Department staff or designee conducting the needs assessment.
6. Non-agency personal care assistants employed by the recipient to provide employment-related personal care services are required to utilize a Department approved fiscal intermediary to coordinate Medicaid claims submittal and payment and to coordinate payment of employer-based taxes.
7. Recipients who cannot direct the activities of a personal care assistance employee may designate a proxy to act in this capacity within parameters established by the Department.

01-013
11/15/01
07/01/0
NEW

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98-003

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BY: 07/01/01
STATUS: NEW